

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (original) Distributor - applicator (1) mobile in the axial direction (10) designed to contain a cosmetic (5), typically a mascara, comprising a body (2) forming a typically cylindrical and longitudinal cavity (20) with a height H along its axial direction (21) containing the said cosmetic (5), and in which there is an opening, the said body (2) being provided with a lateral skirt (24), fixed with a rim (243) or a head (22) at its so-called top end containing a typically threaded neck (220) surrounding the said opening (23), and typically forming a bottom (25) at its so-called bottom end, and an applicator (3) comprising a typically threaded cap (30) forming a means of gripping the said applicator (3) and intended to cooperate with the said rim (243) or the said neck (220) of the said head (22), a rod or a longitudinal support (31) and an application means (32), typically a brush (320) consisting of one or several rows of bristles, the said rod (31) being fixed to the said cap (30) at one of its ends, and fixed to the said application means (32) at its other end, such that the said application means (32), typically at the contact of the said product (5) typically when the said cap closes off the said opening (23) of the said body

(2), collects some of the said product (5) and after separation of the said applicator (3) from the said body (2), typically including an axial translation, enables application of the said collected product on a support, and characterised in that:

a) the said body (2) comprises a means of forming an axial partition in the said cavity (20) so as to form an axial sequence of  $N$  staged compartments (200) in the said cavity (20), denoted  $C_1$  to  $C_N$ , where  $N$  typically varies from 2 to 4, each compartment  $C_i$  with height  $H_i$  containing the said cosmetic(s)  $P_i$ , the said cosmetic(s)  $P_i$  typically being different from the said cosmetic(s)  $P_{i+1}$  in compartment  $C_{i+1}$  located above it, and the said cosmetic  $P_i$  being a typically fluid product,

b) the said means of forming the said axial partition comprises  $N-1$  separation means  $S$  (4, 4'), the said separation means  $S$  (4, 4') being denoted  $S_i$ , where  $i$  is equal to not more than  $N-1$ , between two successive compartments  $C_i$  and  $C_{i+1}$ ,

c) each compartment  $C_i$ , where  $i > 1$ , comprising a volume forming a storage means for the said product  $P_i$ , and also a complementary or free volume (27) forming a communication means, such that the said application means (32) can typically access each of the said compartments  $C_i$ , where  $i' < i$ , in order to collect the said corresponding products  $P_{i'}$ .

2. (original) Distributor - applicator according to claim 1 in which the said cavity (20) comprises two successive

compartments (200), a lower compartment  $C_1$  with height  $H_1$  containing the product  $P_1$ , the said product  $P_1$  being a fluid product, and a top compartment  $C_2$  with height  $H_2$  containing the product  $P_2$ , the said lower compartment being contiguous with the said bottom at its lower part, the top of the said upper compartment  $C_2$  being contiguous with the said rim (243) or the said neck (220).

3. (currently amended) Distributor - applicator according to ~~either claim 1 or 2~~ claim 1, in which the said separation means  $S_i$  (4, 4') typically comprises a central orifice  $O_i$  (40) forming the said communication means between the compartments  $C_i$  and  $C_{i+1}$  and forming an axial passage for the said application means (32), the said separation means  $S_i$  (4, 4') delimiting the said compartment  $C_i$  near the top and thus forming a partition between the said compartments  $C_i$  and  $C_{i+1}$  of the said cavity (20).

4. (original) Distributor - applicator according to claim 3, in which the said separation means  $S_i$  (4, 4') of the compartment  $C_i$  forms a support for product(s)  $P_{i+1}$  contained in the adjacent compartment  $C_{i+1}$  and located axially above compartment  $C_i$ .

5. (currently amended) Distributor - applicator according to ~~either claim 3 or 4~~ claim 3 in which the said separation means  $S_i$  (4, 4') of compartment  $C_i$  comprises a typically radial projection or part (41, 42, 460).

6. (original) Distributor - applicator according to claim 6 in which the said projection or radial part (41, 42, 460) forms a sufficiently large radial projection (42) so that the said typically central orifice  $O_i$  (40) may be filled in or closed off by the said application means (32).

7. (currently amended) Distributor - applicator according to ~~any one of claims 3 to 6~~ claim 3 in which the said means of separation  $S_i$  (4, 4') of compartment  $C_i$  comprises a part forming a radial projection (41) and a part forming a vertical or inclined projection (43), so as to form firstly a secondary cavity (26) typically capable of containing a fluid product, and secondly the said complementary or free volume (27) forming the said communication means.

8. (currently amended) Distributor - applicator according to ~~any one of claims 3 to 7~~ claim 3, in which the said separation means  $S_i$  (4, 4') for  $i = 1$  include a top central duct (44'), typically provided with a flared top part (440') and / or a bottom part through which the said application means can pass,

the said top central duct (44') delimiting the inside of the said complementary or free volume (27) forming the said communication means.

9. (currently amended) Distributor - applicator according to ~~either claim 7 or 8~~ claim 7, in which the said vertical projection or the said duct comprises or forms a perforated tubular central part (44), so as to form the said secondary cavity (26) that will typically contain the said product  $P_2$ , and such that the said application means (32) can collect the said product  $P_2$  particularly during translation of the said application means in the said complementary or free volume (27).

10. (original) Distributor - applicator according to claim 9 in which the said central open tubular part (44) comprises several axial rods (440) forming axial spaces (441) between them through which the said rows of bristles of the said brush (320, 320') are free to pass and so as to collect the said product  $P_2$ .

11. (currently amended) Distributor - applicator according to ~~any one of claims 3 to 10~~ claim 3, in which the said orifice  $O_i$  (40) for  $i = 1$  comprises or forms a non-return valve or flap (6), the said valve or the said flap (6) being open

typically when the said applicator (3) cooperates with the said body, the said application means then typically being in contact with the said product  $P_i$  for  $i = 1$ , and closed when the said applicator (3) is separated from the said body (2).

12. (currently amended) Distributor - applicator according to ~~any one of claims 3 to 11~~ claim 3 in which the said separation means  $S_i$  (4, 4') for  $i = 1$  forms or includes an elastic membrane comprising adjacent rims or lips (60) delimiting the said orifice  $O_i$  for  $i = 1$ , like a valve, the said lips (60) being capable of elastically separating during the said axial displacement of the said applicator (3) so as to enable the said application means (32) to pass through the said orifice (40) so as to prevent or limit mixing of the said products (5) in two different compartments (200).

13. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 12~~ claim 1, in which the said separation means  $S_i$  (4, 4') forms or comprises a single-piece part (45) with the said body (2).

14. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 13~~ claim 1, in which the said separation means  $S_{i-1}$  (4, 4') forms or comprises an add-on part

(46, 46') in the said cavity (20), typically fixed to the said body (2) by assembly or by click-fitting.

15. (currently amended) Distributor - applicator according to ~~any one of claims 3 to 14~~ claim 3, in which the said neck (220) and / or the said orifice  $O_i$  (40), typically for  $i = 1$ , comprises or forms a means (8) of wiping the said application means (32), so as to remove the excess amount of at least the said product  $P_i$ , typically the fluid product  $P_1$  for  $i = 1$ .

16. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 15~~ claim 1, in which the said application means (32), typically a brush (320, 320'), has a circular section, the said section being taken in a plane perpendicular to the said axial direction (10, 21) such that the said applicator (3) does not need to be oriented with respect to the said body (2) during the said translation.

17. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 16~~ claim 1, in which the said application means (3) has a non-circular section S, and a shape factor  $L/l$  equal to at least 2, where L and l are the largest and the smallest dimensions respectively, the said section being taken in a plane perpendicular to the said axial direction (10, 21) such that all or part of the said translation requires

relative orientation of the said applicator (3) with respect to the said body (2).

18. (currently amended) Distributor - applicator according to ~~either claim 16 or 17~~ claim 16, in which the said section S of the said application means (3) and the said orifice  $O_1$  (40) of the said separation means (4, 4') are geometrically similar.

19. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 18~~ claim 1 in which the said applicator (3) comprises a single application means A (32), the said rod (31) being sufficiently long so that the said application means (32) is in contact with the said product  $P_1$  contained in compartment  $C_1$  particularly when the said cap (30) closes off the said opening (23) of the said body (2).

20. (original) Distributor - applicator according to claim 19 in which the height of the said application means A (32) is typically equal to approximately  $H_1$ , and fills in or closes off the said orifice  $O_1$ .

21. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 18~~ claim 1 in which the said applicator (32) comprises a single application means A, with a



height typically greater than  $H_1$ , so that it can come into contact with the said product  $P_1$  contained in the compartment  $C_1$  and with the said product  $P_2$  contained in the compartment  $C_2$  when the said cap closes off the said body, so as to have a zone  $Z_e$  called the remote zone on the application means after the said separation, including collected amounts of products  $P_1$  and  $P_2$ , and a zone  $Z_p$  called the near zone containing collected products  $P_2$  only.

22. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 18~~ claim 1 in which the said applicator comprises at least two application means  $A_1$  (32), typically two separate brushes (320, 320') mounted in series on the said rod (31) and possibly as many application means  $A_1$  as there are separate compartments  $A_1$  and  $A_2$  and typically two separate application means  $A_1$  and  $A_2$ , the said application means  $A_1$  being in contact with the said product  $P_1$  contained in compartment  $C_1$  when the said cap (30) closes off the opening (23) of the said body (2), and the said application means  $A_2$  being in contact with the said product  $P_2$  contained in the compartment  $C_2$  when the said cap closes off the opening (23) of the said body (2).

23. (original) Distributor - applicator according to claim 22 in which the said separate application means  $A_1$  (32)

have an increasing section in the direction from  $A_i$  to  $A_{i+1}$ , such that each application means  $A_i$  only collects the product(s)  $P_i$  contained in the corresponding said compartment  $C_i$ .

24. (original) Distributor - applicator according to claim 22 in which the said applicator (3) comprises two axially separate application means  $A_1$  and  $A_2$ , one forming a brush (320) based on bristles, and the other (321) not forming a brush and comprising a material, typically divided or cellular, capable of collecting a solid or a liquid.

25. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 24~~ claim 1 in which the said rod (31), or possibly the said application means (32), cooperates with the said separation means (4, 4'), possibly due to a means (33) fixed to the said rod (3) or due to a means (6) fixed to the said separation means (4, 4') designed to close off the said orifice (40) in order to make at least one compartment (200) and typically the said compartment  $C_1$  leak tight, when the said cap (30) closes off the opening (23) of the said body (2).

26. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 25~~ claim 1 in which the said head (22) and / or the said bottom (25) of the said body (2) form removable parts (22', 25') so that the said separation means  $S_i$

(4, 4') and / or the said products  $P_i$  can enter into the said cavity (20).

27. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 26~~ claim 1 in which the said body (2) and the said separation means are formed by axial assembly, typically by click-fitting or by gluing or heat sealing, of at least two modular body portions (7) and (7'), one comprising the said bottom (25) and the other comprising the said opening (23).

28. (currently amended) Distributor - applicator according to ~~any one of claims 1 to 27~~ claim 1 in which all or some of the said body (2) is formed by a typically transparent moulded plastic material.

29. (currently amended) Use of the distributor - applicator according to ~~one of claims 1 to 28~~ claim 1 for packaging several cosmetics  $P_i$ , at least one of the products  $P_i$  being a fluid product.

30. (original) Use according to claim 29 in which the said fluid product is a make-up product, and typically a mascara.

31. (currently amended) Use according to ~~either claim 29 or 30~~ claim 29, in which the said fluid product is packaged in the said compartment (200) C<sub>1</sub>.

32. (currently amended) Use according to ~~any one of claims 29 to 31~~ claim 29, in which the said products P<sub>i</sub> (5), typically for  $i > 1$ , comprise typically agglomerated solid products (51), the said solid products (51) typically forming annular or toroidal bodies (510), comprising a central opening (511) through which the said application means (32) can pass.